

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 17-49939

DEVIN MONROE MILTON,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER REQUIRING THE DEBTOR AND THE DEBTOR'S ATTORNEY, RICHARD TODD COOK, TO APPEAR AND SHOW CAUSE WHY THEY SHOULD NOT BE HELD IN CONTEMPT AND/OR OTHERWISE SANCTIONED FOR FILING THIS BANKRUPTCY CASE**

On June 17, 2014, the Debtor, through his attorney Richard Todd Cook, filed a voluntary petition for relief under Chapter 7, commencing Case No. 14-50191. On August 6, 2014, the Court entered an order dismissing that case and barring the Debtor from filing another bankruptcy petition “unless and until the Debtor first pays in full the \$335.00 filing fee for this case” (Docket # 19 in Case No. 14-50191, the “Dismissal Order”). Despite this, on August 1, 2016, Debtor, through his same attorney Richard Todd Cook, filed another voluntary petition for relief, under Chapter 7, commencing another case, Case No. 16-50813. Because the Debtor had not yet paid the overdue filing fees when he filed that case, the Debtor’s filing of that case was in violation of the bar in the Dismissal Order. For that reason, on August 2, 2016, the Court entered an order dismissing that case (Docket # 3 in Case No. 16-50813). In addition, on September 12, 2016, in Case No. 16-50813, after holding a hearing attended by both the Debtor and his attorney Richard Todd Cook, the Court entered an order entitled “Order Holding Debtor and Debtor’s Attorney Richard Todd Cook In Civil Contempt; Ordering Fines (Suspended Conditionally) Against Debtor and His Attorney; and Barring Debtor from Filing Another Bankruptcy Case Unless and until Debtor Pays in Full The Filing Fee Owing for this Case” (Docket # 14, the

“Contempt Order”), which provided, in relevant part:

5. The Debtor is barred from filing any new case under the Bankruptcy Code, and the Clerk is directed not to accept for filing any further bankruptcy petition(s) by or on behalf of the Debtor, unless and until the Debtor first pays in full the \$335.00 filing fee owing for this case.

Despite the bar to refiling in the Contempt Order, on July 7, 2017, the Debtor, through his same attorney Richard Todd Cook, filed yet another voluntary petition for relief, under Chapter 7, commencing this case. Because the Debtor had not yet paid the overdue filing fee for Case No. 16-50813 when he filed this case, the Debtor’s filing of this case was in violation of the bar in the Contempt Order.

For this reason, today the Court has dismissed this case, by a separate order. Also for this reason, and notwithstanding the dismissal of this case,

IT IS ORDERED that the Debtor Devin Monroe Milton, and his attorney, Richard Todd Cook, each must appear in person on **July 19, 2017 at 10:00 a.m.** in Room 1925, 211 W. Fort Street, Detroit, Michigan, and show cause why the Court should not hold each of them in contempt and/or otherwise sanction each of them for filing this bankruptcy case in violation of bar to refilling in the Court’s Contempt Order in the prior case.

**Signed on July 10, 2017**



/s/ **Thomas J. Tucker**

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**Thomas J. Tucker**  
United States Bankruptcy Judge